

**Senate Bill No. 1485**

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Passed the Senate August 29, 2006

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*Secretary of the Senate*

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Passed the Assembly August 17, 2006

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*Chief Clerk of the Assembly*

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This bill was received by the Governor this \_\_\_\_\_ day  
of \_\_\_\_\_, 2006, at \_\_\_\_\_ o'clock \_\_\_\_M.

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*Private Secretary of the Governor*

## CHAPTER \_\_\_\_\_

An act to amend Section 653o of the Penal Code, relating to crimes.

## LEGISLATIVE COUNSEL'S DIGEST

SB 1485, Hollingsworth. Protected animals.

Existing law provides that it is a misdemeanor to import into this state for commercial purposes, to possess with intent to sell, or to sell within the state, the dead body, or any part or product thereof, of any of a list of specified animals, including alligators and crocodiles.

This bill would revise these provisions to provide that, commencing January 1, 2010, it shall be unlawful to engage in these acts with respect to alligators and crocodiles. The bill would state the intent of the Legislature in this regard.

*The people of the State of California do enact as follows:*

SECTION 1. Section 653o of the Penal Code is amended to read:

653o. (a) It is unlawful to import into this state for commercial purposes, to possess with intent to sell, or to sell within the state, the dead body, or any part or product thereof, of any polar bear, leopard, ocelot, tiger, cheetah, jaguar, sable antelope, wolf (*Canis lupus*), zebra, whale, cobra, python, sea turtle, colobus monkey, kangaroo, vicuna, sea otter, free-roaming feral horse, dolphin or porpoise (*Delphinidae*), Spanish lynx, or elephant.

(b) Commencing January 1, 2010, it shall be unlawful to import into this state for commercial purposes, to possess with intent to sell, or to sell within the state, the dead body, or any part or product thereof, of any crocodile or alligator.

(c) Any person who violates any provision of this section is guilty of a misdemeanor and shall be subject to a fine of not less than one thousand dollars (\$1,000) and not to exceed five thousand dollars (\$5,000) or imprisonment in the county jail for

not to exceed six months, or both such fine and imprisonment, for each violation.

(d) The prohibitions against importation for commercial purposes, possession with intent to sell, and sale of the species listed in this section are severable. A finding of the invalidity of any one or more prohibitions shall not affect the validity of any remaining prohibitions.

SEC. 2. It is the intent of the Legislature that the amendments to Section 653o of the Penal Code made by this act shall not be construed to authorize the importation or sale of any alligator or crocodilian species, or any products thereof, that are listed as endangered under the federal Endangered Species Act, or to allow the importation or sale of any alligator or crocodilian species, or any products thereof, in violation of any federal law or any international treaty to which the United States is a party.

Approved \_\_\_\_\_, 2006

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*Governor*